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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/643,729

08/23/2000

Yvon Bergeron

14786-1US JA/AA

9798

20988

7590

07/06/2004

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EXAMINER

TON, ANTHONY T

ART UNIT

PAPER NUMBER

2661

7

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/643,729	Applicant(s) BERGERON ET AL.	
	Examiner Anthony T Ton	Art Unit 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☒ Claim(s) 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTIONS

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 17 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Corrigan et al.** (US Patent No. 6,697,345) in view of **Brwonrigg et al.** (US Patent No. 6,249,516), hereinafter referred to as Corrigan and Brwonrigg, respectively.

a) **In Regarding to Claim 17: Corrigan disclosed** a method for sending a data packet from wireless terminal to a second network via a wireless network, said method comprising the steps of:

sending header information from the wireless terminal (*see Fig.2: RT 114; and col.8 lines 52-55*),

removing said header information of said data packet to provide a data part of said data packet (*see col.57 lines 29-33: signaling is extracted by the T1/E1 framers 2554*),

adding to said data part of said data packet a wireless header to provide a wireless packet (*see col.41 lines 16-27: header 1602*),

transmitting said wireless packet over said wireless network (*see Fig.2: TDM MUX and network 246*),

receiving said wireless packet and removing said wireless header of said wireless header of said wireless packet to provide said data part of said wireless packet (*see Fig.2: TDM MUX 230 (receiving the wireless packet) and ATM MUX 232 (hence removing said wireless header)*),

create a header for said data part using said header information received and according to a said second network (*see Fig.2 ATM MUX 232, hence, an ATM header is created*),

Corrigan failed to explicitly disclose adding said created header to said data part of said wireless packet to provide a new packet and sending said new packet on said second network.

Brownrigg explicitly disclosed such adding said created header to said data part of said wireless packet to provide a new packet and sending said new packet on said second network (*see Figs.17 and 1; and col.20 lines 60-67*).

At the time of the invention, it would be obvious to a person of ordinary skill in the art to combine such adding said created header to said data part of said wireless packet to provide a new packet and sending said new packet on said second network as taught by Brownrigg with Corrigan, so that data packets can be properly routed from a wireless source node via different networks to a corresponding destination node. The motivation for doing so would have been to provide packets that can be transmitted/received in different network protocols. Therefore, it would have been obvious to combine Miles and Woodward the invention as specified in this claim.

b) In Regarding to Claim 18: The claimed subject matters of this claim are the reverse steps of that in the claim 17, wherein packets are implemented to transmit from the second network to the first network. Therefore, the rejection to claim 17 would apply to reject this claim as well.

Art Unit: 2661

Allowable Subject Matter

3. Claims 1-16 are allowed.

Examiner Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony T. Ton whose telephone number is 703-305-8956. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W Olms, can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ATT
6/23/2004


Phirin Sam